

Peter J. Barrett (VA 46179)
Kimberly A. Pierro (VA 71362)
KUTAK ROCK LLP
1111 East Main Street, Suite 800
Richmond, Virginia 23219-3500
Telephone: (804) 644-1700
Facsimile: (804) 783-6192
-and-
Jeffrey T. Wegner (NE 18265)
KUTAK ROCK LLP
The Omaha Building
1650 Farnam Street
Omaha, NE 68102
Telephone: (402) 346-6000
Facsimile: (402) 346-1148

Hearing: March 3, 2009 10:00 a.m.
Objections Due: February 27, 2009 5:00 p.m.

*Attorneys for Cole CC Taunton MA, LLC,
Cole CC Aurora CO, LLC, Cole CC Mesquite TX, LLC and
Cole CC Groveland FL, LLC*

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE:) CASE NO. 08-35653-KRH
) Chapter 11
 CIRCUIT CITY STORES, INC., et al.) (Jointly Administered)
)
 Debtors.)

**NOTICE OF MOTION
AND NOTICE OF HEARING**

PLEASE TAKE NOTICE that Cole CC Taunton MA, LLC, Cole CC Aurora CO, LLC, Cole CC Mesquite TX, LLC and Cole CC Groveland FL, LLC (collectively, the “Cole Landlords”) have filed their *Motion for Entry of an Order Granting Adequate Protection and Granting Allowance and Payment of Administrative Expense Claim* (the “Motion”).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to grant the relief sought, you must do the following:

1. You must file with the Court a written response to the Motion pursuant to Local Bankruptcy Rule 9013-1 no later than **February 27, 2009**. The Court is located at:

Clerk of the Court
United States Bankruptcy Court
701 East Broad Street
4th Floor
Richmond, Virginia 23219

2. You must also mail a copy to the following persons:

Peter J. Barrett, Esquire
KUTAK ROCK LLP
1111 East Main Street, Suite 800
Richmond, Virginia 23219-3500

Robert B. Van Arsdale, Esquire
Office of the U.S. Trustee
701 East Broad Street, 4th Floor
Richmond, Virginia 23219

3. You must also attend the hearing to consider the relief sought in the Motion in addition to filing a written response. If you fail to file timely a written response and to attend the hearing, the Court may consider any objection you may have waived and enter an Order granting the relief requested. The hearing is scheduled for **March 3, 2009 at 10:00 a.m.**, at the United States Bankruptcy Court, 701 East Broad Street, Court Room 5000, Richmond, Virginia 23219.

February 12, 2009
Richmond, Virginia

**COLE CC TAUNTON MA, LLC; COLE CC
GROVELAND FL, LLC; COLE CC AURORA
CO, LLC; AND COLE CC MESQUITE TX,
LLC**

By /s/ Kimberly A. Pierro
Counsel

Peter J. Barrett (VA 46179)
Kimberly A. Pierro (VA 71362)
KUTAK ROCK LLP
1111 East Main Street, Suite 800
Richmond, Virginia 23219-3500
Telephone: (804) 644-1700
Facsimile: (804) 783-6192
-and-
Jeffrey T. Wegner (NE 18265)
KUTAK ROCK LLP
The Omaha Building
1650 Farnam Street
Omaha, NE 68132
Telephone: (402) 346-6000
Facsimile: (402) 346-1148

*Attorneys for Cole CC Taunton MA, LLC,
Cole CC Aurora CO, LLC, Cole CC Mesquite TX, LLC and
Cole CC Groveland FL, LLC*

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on February 12, 2009, a true and exact copy of the foregoing Notice was forwarded via ECF notification or via first class mail postage pre-paid to the following necessary parties or their counsel as set forth in the Order Establishing Certain Notice, Case Management, and Administrative Procedures entered November 13, 2008: (i) the Office of the United States Trustee for the Eastern District of Virginia, (ii) the Debtors and bankruptcy co-counsel, (iii) counsel to the Official Committee of Unsecured Creditors, (iv) counsel to the agents for the Debtors' pre-petition lenders, (v) counsel to the agents for the Debtors' post-petition lenders, and (vi) all parties that have requested notice pursuant to Bankruptcy Rule 2002.

/s/ Kimberly A. Pierro
Counsel